## UNITED STATES COURT OF APPEALS

## FILED

FEB 1 5 2008

CATHY A. CATTERSON, CLERK U.S. COURT OF APPEALS

. . . .

## FOR THE NINTH CIRCUIT

MARK H., individually and as Guardians Ad Litem of Michelle H. and Natalie H., minors,

Plaintiff - Appellant,

and

RIE H., individually and as Guardians Ad Litem of Michelle H. and Natalie H., minors,

Plaintiff - Appellant,

v.

PAUL LEMAHIEU, in his official capacity as superintendent of the Hawaii Public Schools; ELSIE TANAKA, in her official capacity as Principal of Kipapa Elementary School; JUDITH SARAN-CHOCK, inm her official capacity as Principal of Ala Wai Elementary School; PETER CHUN, in his official capacity as Principal of Hokulani Elementary School; HAROLDEEN WAKIDA, in her official capacity as Principal of Ali'iolani Elementary School; DEPARTMENT OF EDUCATION, State of Hawaii; KEITH HUNTER, SR., special master,

Defendants - Appellees.

No. 05-16236

D.C. No. CV-00-00282-MLR District of Hawaii, Honolulu

**ORDER** 



FEB 19 2000

DISTRICT OF HAVING

Before: THOMPSON, BERZON, and TALLMAN, Circuit Judges.

Appellants' motion to transfer consideration of attorney's fees on appeal to the district court is GRANTED.